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EXAMINER

KEEHN, RICHARD G

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4121

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/787,520	Applicant(s) HAYES, KENT F.	
	Examiner Richard G. Keehn	Art Unit 4121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/26/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02/26/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>02/26/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-32 have been examined and are pending.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 25-32 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. A program, although residing on computer readable medium, is non-statutory if it does not execute.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, 7-9, 16-18, 20, 22-23, 25-27, 29, and 31-32 are rejected under 35 U.S.C. 102(b) as being taught by US 2003/0023661 A1 (Clohessy et al.).

As to Claim 1, Clohessy et al. teach a computer-implemented method for resolving prerequisites for client devices in an Open Service Gateway Initiative (OSGi) framework, comprising:

determining, on a server, prerequisites for an OSGi bundle to be loaded on a client device (Clohessy et al., Page 4, paragraph 0139 recites determining by the server, the runtime resources needed on, and to be loaded on the client device. Paragraph 0038 recites the use of OSGi bundles);

communicating the prerequisites from the server to the client device (Clohessy et al. – Page 5, paragraph 0046 recites the prerequisite application component being loaded from the server to the client device);

receiving a response from the client device, wherein the response identifies any resource limitations of the client device based on the prerequisites (Clohessy et al., Page 4, paragraph 0041 recites the client device determining its available resources, and these are communicated to the server since, in paragraph 0042, the server uses this information to determine if the client has sufficient resources before downloading an application component. By identifying the available resources on the client, any limitation is also disclosed); and

resolving the prerequisites by identifying a final set OSGi bundles on the server that fulfills the prerequisites within the resource limitations of the client device (Clohessy et al., Page 4, paragraph 0043 recites that the bundles needed are identified, and not sent until the client has sufficient resources available).

As to Claim 2, Clohessy et al. teach the method of claim 1, wherein the method is performed recursively until the prerequisites are completely resolved (Clohessy et al. –

Figure 4 shows the recursive path used to resolve prerequisites, 104-106-108-109-110-112-104-etc. until 114 or END).

As to Claim 3, Clohessy et al. teach the method of claim 1, further comprising loading the final set of OSGi bundles on the client device if the prerequisites are completely resolved (Clohessy et al. – Figure 4, elements 108 and 114 show loading the final set of OSGi bundles on the client device).

As to Claim 5, Clohessy et al. teach the method of claim 1, wherein the prerequisites comprise at least one item selected from the group consisting of a service, a package and a computer resource needed by client device (Clohessy et al. - Page 2, paragraphs 0024 and 0025 recite the prerequisite resources being flash memory and RAM, which are at least one item selected from the group consisting of a service, a package and a computer resource, i.e. computer resources).

As to Claim 7, Clohessy et al. teach the method of claim 1, wherein the method is applied in the presence of a low bandwidth or high cost connection between the server and the client device (Clohessy et al. – Page 1, paragraph 0002 recites that the client device has limited system resources which would include bandwidth related resources such as threads, sockets, memory, RAM, etc. Paragraph 0003 further recites that the client device requires frequent loading and unloading due to the narrow bandwidth as compared to a desktop PC).

As to Claim 8, Clohessy et al. teach the method of claim 1, wherein the final set of OSGi bundles include OSGi bundles that are identified from a repository accessed by the server (Clohessy et al. – Page 4, paragraphs 0042 and 0043 recite the process of loading OSGi bundles residing on the server to the client).

As to Claim 9, Clohessy et al. teach the method of claim 1, further comprising: receiving the prerequisites on the client device (Clohessy et al. – Page 5, paragraph 0046 recites the prerequisite application component being loaded from the server to the client device);

determining whether the client device has the prerequisites, wherein any of the prerequisites that the client device does not have represent the resource limitations (Clohessy et al., Page 4, paragraph 0041 recites the client device determining its available resources, and these are communicated to the server since, in paragraph 0042, the server uses this information to determine if the client has sufficient resources before downloading an application component. By identifying the available resources on the client, any limitation is also disclosed); and

sending the response to the server, wherein the response includes the resource limitations (Clohessy et al., Page 4, paragraph 0041 recites the client device determining its available resources, and these are communicated to the server since, in paragraph 0042, the server uses this information to determine if the client has sufficient

resources before downloading an application component. By identifying the available resources on the client, any limitation is also disclosed).

As to Claim 16, Clohessy et al. teach a computerized system for resolving prerequisites for clients devices in an Open Service Gateway Initiative (OSGi) framework, comprising:

a prerequisite computation system for determining, on a server, prerequisites for an OSGi bundle to be loaded on a client device (Clohessy et al., Page 4, paragraph 0139 recites determining by the server, the runtime resources needed on, and to be loaded on the client device. Paragraph 0038 recites the use of OSGi bundles);

a communication system for communicating the prerequisites from the server to the client device (Clohessy et al. – Page 5, paragraph 0046 recites the prerequisite application component being loaded from the server to the client device), and

for receiving a response from the client device, wherein the response identifies any resource limitations of the client device based on the prerequisites (Clohessy et al., Page 4, paragraph 0041 recites the client device determining its available resources, and these are communicated to the server since, in paragraph 0042, the server uses this information to determine if the client has sufficient resources before downloading an application component. By identifying the available resources on the client, any limitation is also disclosed); and

a prerequisite resolution system for resolving the prerequisites by identifying a final set of OSGi bundles on the server that fulfills the prerequisites within the resource

limitations of the client device (Clohessy et al., Page 4, paragraph 0043 recites that the bundles needed are identified, and not sent until the client has sufficient resources available).

As to Claim 17, Clohessy et al. teach the system of claim 16, wherein the prerequisite resolution system recursively resolves the prerequisites (Clohessy et al. – Figure 4 shows the recursive path used to resolve prerequisites, 104-106-108-109-110-112-104-etc. until 114 or END).

As to Claim 18, Clohessy et al. teach the system of claim 16, further comprising a bundle loading system for loading the final set of OSGi bundles on the client device if the prerequisites are completely resolved (Clohessy et al. – Figure 4, elements 108 and 114 show loading the final set of OSGi bundles on the client device).

As to Claim 20, Clohessy et al. teach the system of claim 16, wherein the prerequisites comprise at least one item selected from the group consisting of a service, a package and a computer resource needed by client device (Clohessy et al. - Page 2, paragraphs 0024 and 0025 recite the prerequisite resources being flash memory and RAM, which are at least one item selected from the group consisting of a service, a package and a computer resource, i.e. computer resources).

As to Claim 22, Clohessy et al. teach the system of claim 16, wherein the final set of OSGi bundles includes OSGi bundles that are identified from a repository accessed by the server (Clohessy et al. – Page 4, paragraphs 0042 and 0043 recite the process of loading OSGi bundles residing on the server to the client).

As to Claim 23, Clohessy et al. teach the system of claim 16, further comprising:
an analysis system for determining whether the client has the prerequisites, wherein any prerequisites that the client device does not have are identified as the resource limitations (Clohessy et al., Page 4, paragraph 0041 recites the client device determining its available resources, and these are communicated to the server since, in paragraph 0042, the server uses this information to determine if the client has sufficient resources before downloading an application component. By identifying the available resources on the client, any limitation is also disclosed); and

a response system for sending the response from the client device to the server (Clohessy et al., Page 4, paragraph 0041 recites the client device determining its available resources, and these are communicated to the server since, in paragraph 0042, the server uses this information to determine if the client has sufficient resources before downloading an application component. By identifying the available resources on the client, any limitation is also disclosed).

As to Claim 25, Clohessy et al. teach a program product stored on a recordable medium for resolving prerequisites for clients devices in an Open Service Gateway Initiative (OSGi) framework, comprising:

program code for determining, on a server, prerequisites for an OSGi bundle to be loaded on a client device (Clohessy et al., Page 4, paragraph 0139 recites determining by the server, the runtime resources needed on, and to be loaded on the client device. Paragraph 0038 recites the use of OSGi bundles);

program code for communicating the prerequisites from the server to the client device (Clohessy et al. – Page 5, paragraph 0046 recites the prerequisite application component being loaded from the server to the client device), and

for receiving a response from the client device, wherein the response identifies any resource limitations of the client device based on the prerequisites (Clohessy et al., Page 4, paragraph 0041 recites the client device determining its available resources, and these are communicated to the server since, in paragraph 0042, the server uses this information to determine if the client has sufficient resources before downloading an application component. By identifying the available resources on the client, any limitation is also disclosed); and

program code for resolving the prerequisites by identifying a final set of OSGi bundles on the server that fulfills the prerequisites within the resource limitations of the client device (Clohessy et al., Page 4, paragraph 0043 recites that the bundles needed are identified, and not sent until the client has sufficient resources available).

As to Claim 26, Clohessy et al. teach the program product of claim 25, wherein the program code for resolving recursively resolves the prerequisites (Clohessy et al. – Figure 4 shows the recursive path used to resolve prerequisites, 104-106-108-109-110-112-104-etc. until 114 or END).

As to Claim 27, Clohessy et al. teach the program product of claim 25, further comprising program code for loading the final set of OSGi bundles on the client device if the prerequisites are completely resolved (Clohessy et al. – Figure 4, elements 108 and 114 show loading the final set of OSGi bundles on the client device).

As to Claim 29, Clohessy et al. teach the program product of claim 25, wherein the prerequisites comprise at least one item selected from the group consisting of a service, a package and a computer resource needed by client device (Clohessy et al. - Page 2, paragraphs 0024 and 0025 recite the prerequisite resources being flash memory and RAM, which are at least one item selected from the group consisting of a service, a package and a computer resource, i.e. computer resources).

As to Claim 31, Clohessy et al. teach the program product of claim 25, wherein the final set of OSGi bundles includes bundles that are identified from a repository accessed by the server (Clohessy et al. – Page 4, paragraphs 0042 and 0043 recite the process of loading OSGi bundles residing on the server to the client).

As to Claim 32, Clohessy et al. teach the program product of claim 25, further comprising:

program code for determining whether the client has the prerequisites, wherein any prerequisites that the client device does not have are identified as the resource limitations (Clohessy et al., Page 4, paragraph 0041 recites the client device determining its available resources, and these are communicated to the server since, in paragraph 0042, the server uses this information to determine if the client has sufficient resources before downloading an application component. By identifying the available resources on the client, any limitation is also disclosed); and

program code for sending the response from the client device to the server (Clohessy et al., Page 4, paragraph 0041 recites the client device determining its available resources, and these are communicated to the server since, in paragraph 0042, the server uses this information to determine if the client has sufficient resources before downloading an application component. By identifying the available resources on the client, any limitation is also disclosed).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
3. Claims 4, 19 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003/0023661 A1 (Clohessy et al.) as applied to claims 3, 18 and 27 above, and further in view of US 2003/0131226 A1 (Spencer et al.).

As to Claim 4, Clohessy et al. teach the method of claim 3, wherein the loading comprises the server instructing the client device to load the final set of OSGi bundles (Clohessy et al. – Figure 4, elements 108 and 114 show loading the final set of OSGi bundles on the client device) .

Clohessy et al. do not teach, but Spencer et al. teach in a particular order (Spencer et al. – Page 1, paragraph 0004 recites downloading components in a particular order).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of downloading in a particular order taught by Spencer et al., with the server instructing the client device to load the final set of OSGi bundles taught by Clohessy et al.

One of ordinary skill in the art at the time the invention was made would have been motivated to load components according to whether they that require the presence of others on the user's device (Spencer et al. – Page 1, paragraph 0004).

As to Claim 19, Clohessy et al. teach the system of claim 18, wherein the bundle loading system comprises an instruction passing system for instructing the client device to load the final set of OSGi bundles (Clohessy et al. – Figure 4, elements 108 and 114 show loading the final set of OSGi bundles on the client device).

Clohessy et al. do not teach, but Spencer et al. teach in a particular order (Spencer et al. – Page 1, paragraph 0004 recites downloading components in a particular order).

The motivation and obviousness arguments are the same as in Claim 4.

As to Claim 28, Clohessy et al. teach the program product of claim 27, wherein the program code for loading comprises program code for instructing the client device to load the final set of OSGi bundles (Clohessy et al. – Figure 4, elements 108 and 114 show loading the final set of OSGi bundles on the client device).

Clohessy et al. do not teach, but Spencer et al. teach in a particular order (Spencer et al. – Page 1, paragraph 0004 recites downloading components in a particular order).

The motivation and obviousness arguments are the same as in Claim 4.

4. Claims 6, 10-11, 13-15, 21 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003/0023661 A1 (Clohessy et al.) as applied to claims 1, 10, 16 and 25, and further in view of US 6,697,849 B1 (Carlson).

As to Claim 6, Clohessy et al. teach the method of claim 1, further comprising information derived from the response (Clohessy et al. – Figure 1, step 106 recites the computation of comparison based on client response).

Clohessy et al. do not teach, but Carlson teaches caching [*sic*] on the server (Carlson, Column 5, lines 18-21 recite caching responses on a server).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine caching on the server taught by Carlson, with the derivation of response information taught by Clohessy et al.

One of ordinary skill in the art at the time the invention was made would have been motivated to quickly appropriate subsequent requests and significantly enhance performance (Carlson, column 5, first paragraph).

As to Claim 10, Clohessy et al. teach a computer-implemented method for recursively resolving prerequisites for client devices in an Open Service Gateway Initiative (OSGi) framework, comprising:

determining, on a server, prerequisites for an OSGi bundle to be loaded on a client device (Clohessy et al., Page 4, paragraph 0139 recites determining by the server, the runtime resources needed on, and to be loaded on the client device. Paragraph 0038 recites the use of OSGi bundles);

communicating the prerequisites from the server to the client device (Clohessy et al. – Page 5, paragraph 0046 recites the prerequisite application component being loaded from the server to the client device);

receiving a response from the client device, wherein the response identifies any resource limitations of the client device based on the prerequisites (Clohessy et al., Page 4, paragraph 0041 recites the client device determining its available resources, and these are communicated to the server since, in paragraph 0042, the server uses this information to determine if the client has sufficient resources before downloading an application component. By identifying the available resources on the client, any limitation is also disclosed);

information derived from the response (Clohessy et al. – Figure 1, step 106 recites the computation of comparison based on client response); and

resolving the prerequisites by recursively identifying a final set that fulfills the prerequisites within the resource limitations of the client device (Clohessy et al. – Figure 4 shows the recursive path used to resolve prerequisites, 104-106-108-109-110-112-104-etc. until 114 or END; Clohessy et al., Page 4, paragraph 0043 recites that the bundles needed are identified, and not sent until the client has sufficient resources available).

Clohessy et al. do not teach, but Carlson teaches caching [*sic*] on the server (Carlson, Column 5, lines 18-21 recite caching responses on a server).

The motivation and obviousness arguments are the same as in Claim 6.

As to Claim 11, the combination of Clohessy et al. and Carlson teach the method of claim 10, further comprising loading at the final set of OSGi bundles on the client device when the prerequisites are completely resolved (Clohessy et al. – Figure 4, elements 108 and 114 show loading the final set of OSGi bundles on the client device).

As to Claim 13, the combination of Clohessy et al. and Carlson teach the method of claim 10, wherein the prerequisites comprise at least one item selected from the group consisting of a service, a package and a computer resource needed by client device (Clohessy et al. - Page 2, paragraphs 0024 and 0025 recite the prerequisite resources being flash memory and RAM, which are at least one item selected from the group consisting of a service, a package and a computer resource, i.e. computer resources).

As to Claim 14, the combination of Clohessy et al. and Carlson teach the method of claim 10, wherein the method is applied in the presence of a low bandwidth or high cost connection between the server and the client device (Clohessy et al. – Page 1, paragraph 0002 recites that the client device has limited system resources which would include bandwidth related resources such as threads, sockets, memory, RAM, etc.

Paragraph 0003 further recites that the client device requires frequent loading and unloading due to the narrow bandwidth as compared to a desktop PC).

As to Claim 15, the combination of Clohessy et al. and Carlson teach the method of claim 10, further comprising: receiving the prerequisites on the client device (Clohessy et al. – Page 5, paragraph 0046 recites the prerequisite application component being loaded from the server to the client device);

determining whether the client device has the prerequisites, wherein any of the prerequisites that the client device does not have represent the resource limitations (Clohessy et al., Page 4, paragraph 0041 recites the client device determining its available resources, and these are communicated to the server since, in paragraph 0042, the server uses this information to determine if the client has sufficient resources before downloading an application component. By identifying the available resources on the client, any limitation is also disclosed); and

sending the response to the server, wherein the response includes the resource limitations (Clohessy et al., Page 4, paragraph 0041 recites the client device determining its available resources, and these are communicated to the server since, in paragraph 0042, the server uses this information to determine if the client has sufficient resources before downloading an application component. By identifying the available resources on the client, any limitation is also disclosed).

As to Claim 21, Clohessy et al. teach the system of claim 16, further comprising information derived from the response (Clohessy et al. – Figure 1, step 106 recites the computation of comparison based on client response).

Clohessy et al. do not teach, but Carlson teaches a response caching system for caching [*sic*] on the server (Carlson, Column 5, lines 18-21 recite caching responses on a server).

The motivation and obviousness arguments are the same as in Claim 6.

As to Claim 30, Clohessy et al. teach the program product of claim 25, further comprising information derived from the response (Clohessy et al. – Figure 1, step 106 recites the computation of comparison based on client response).

Clohessy et al. do not teach, but Carlson teaches program code for caching [*sic*] on the server (Carlson, Column 5, lines 18-21 recite caching responses on a server).

The motivation and obviousness arguments are the same as in Claim 6.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of US 2003/0023661 A1 (Clohessy et al.) and US 6,697,849 B1 (Carlson) as applied to claim 11 above, and further in view of US 2003/0131226 A1 (Spencer et al.).

As to Claim 12, the combination of Clohessy et al. and Carlson teach the method of claim 11, wherein the loading comprises the server instructing the client device to

load the final set of OSGi bundles (Clohessy et al. – Figure 4, elements 108 and 114 show loading the final set of OSGi bundles on the client device).

The combination of Clohessy et al. and Carlson does not teach, but Spencer et al. teach in a particular order (Spencer et al. – Page 1, paragraph 0004 recites downloading components in a particular order).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of downloading in a particular order taught by Spencer et al., with the loading comprises the server instructing the client device to load the final set of OSGi bundles taught by the combination of Clohessy et al. and Carlson.

One of ordinary skill in the art at the time the invention was made would have been motivated to load components according to whether they that require the presence of others on the user's device (Spencer et al. – Page 1, paragraph 0004).

6. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003/0023661 A1 (Clohessy et al.) as applied to claim 16 above, and further in view of US 2005/0004974 A1 (Sharma et al.).

As to Claim 24, Clohessy et al. teach the system of claim 16. Clohessy et al. do not teach, but Sharma et al. teach wherein the system uses SyncML DM protocol for communication between the client device and the server (Sharma et al. – Page 9,

paragraphs 0097 and 0099 recite the use of SyncML Device Management and OSGi to communicate between client and server).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the use of SyncML Device Management taught by Sharma et al., with the communication between client and server taught by Clohessy et al.

One of ordinary skill in the art at the time the invention was made would have been motivated to explicitly support the ability to change service settings on a mobile device and to be able to download services to it (Sharma et al. – Page 9, paragraph 0099).

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These include:

- US 2004/0117494 A1 – Method and System for Dynamically Reconfiguring Pervasive Device Communication Channels
- US 2004/0133538 A1 – Transparent Edge-Of-Network Data Cache
- US 2002/0184226 A1 – Independent Class Loader for Dynamic Class Loading

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard G. Keehn whose telephone number is 571-270-

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5007. The examiner can normally be reached on Monday through Thursday, 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Taghi Arani can be reached on 571-272-3787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RGK
12/05/2007

/Taghi T. Arani/
Supervisory Patent Examiner, Art Unit 4121